

# Memorandum



**Date:** May 7, 2019

**To:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

Agenda Item No. 8(N)(12)

**From:** Carlos A. Gimenez  
Mayor

**Subject:** Recommendation for Approval of the Use of Up To \$1,740,113.52 in Charter  
County Transportation Surtax Funds for Roadway Resurfacing Contract

## **Recommendation**

It is recommended that the Board of County Commissioners (Board) approve the use of Charter County Transportation Surtax (Surtax) Funds for Contract No. 1- Roadway Resurfacing Contract Push-Button (South) (RPQ No. 20170165, MCC 7360 Plan) in the amount of \$1,740,113.52 to H & R Paving, Inc. previously awarded under the Miscellaneous Construction Contracts (MCC) 7360 Plans for roadway resurfacing projects. This contract is currently approved for the use of non-Surtax funding sources via the MCC Program. This item seeks approval to use Surtax funding for this roadway improvement project included within the People's Transportation Plan (PTP). The contract is described in more detail in the accompanying attachment.

This recommendation is placed for Board review pursuant to Miami-Dade County Code Section 29-124(f). This recommendation may only be considered by the Board if the Citizens' Independent Transportation Trust (CITT) has forwarded a recommendation to the Board prior to the date scheduled for Board consideration or forty-five (45) days have elapsed since the filing with the Clerk of the Board of this recommendation. If the CITT has not forwarded a recommendation and forty-five (45) days have not elapsed since the filing of this recommendation, I will request a withdrawal of this item.

## **Scope**

This contract has been previously awarded under the MCC Program, with a scope of work consisting of roadway resurfacing improvements throughout Miami-Dade County (County).

## **Fiscal Impact/Funding Source**

The individual projects will be funded through INFRASTRUCTURE IMPROVEMENTS-COUNTYWIDE (2000000535) in the FY 2018-19 Adopted Multi-Year Capital Plan. The fiscal impact to the Surtax shall not exceed the contract award amount for each contract. Work orders funded by the Surtax will only be issued when written approval is received from a Commission District office of the use of their PTP allocation approved by Resolution No. R-507-04. There is no additional fiscal impact to operations or maintenance.

## **Delegation of Authority**

No additional authority is being requested within the body of this Contract.

## **Track Record/Monitor**

The resurfacing project will be assigned to Joaquin Rabassa, P.E., Project Coordinator, Department of Transportation and Public Works (DTPW) for the day-to-day responsibilities.

**Background**

This contract was procured through the MCC Program, as noted in Exhibit A, with Road Impact Fee funding identified. DTPW forwarded a Request for Price Quotation by way of facsimile transmission, to a pool of firms that had registered with the Internal Services Department (ISD) for each respective trade. Additionally, DTPW advertised each project in the Daily Business Review and all solicitations were available online through the County portal under the "Procurement Solicitations" link. The project's award evaluation was based upon the bid submitted by the lowest responsive and responsible bidder, and due diligence was conducted in accordance with ISD's Procurement Guidelines to determine Contractor responsibility, including verifying corporate status with the Florida Department of State's Division of Corporations and review of performance or compliance issues. A copy of all bids, and the bid tabulation for all projects, is available by contacting the Chief of the Capital Improvements Division of DTPW.

Consistent with Florida Statute 212.055 and section 29-124 and 2-1421 of the County Code, Surtax funds will be used for projects included in the Five Year PTP Implementation Plan.

Push-Button contracts provide DTPW a means of quickly responding to critical construction and repair needs via a competitively bid contract. The work on these contracts is initiated via work order on an as-needed basis to address these needs. Within the contract, an estimated quantity is provided for bidding purposes as plan details are not available at the time of the bid.

Bidders are advised that actual quantities may vary depending on the scope of work identified in each work order. Payment is based on the authorized work completed by the contractor.



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Alina T. Hudak  
Deputy Mayor



# MEMORANDUM

(Revised)

**TO:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

**DATE:** May 7, 2019

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Agenda Item No. 8(N)(12)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☒ Applicable legislation requires more than a majority vote (i.e., 2/3's present \_\_\_\_, 2/3 membership ☒, 3/5's \_\_\_\_, unanimous \_\_\_\_, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) \_\_\_\_ to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 8(N)(12)  
5-7-19

RESOLUTION NO. \_\_\_\_\_

RESOLUTION APPROVING AND AUTHORIZING THE USE  
OF UP TO \$1,740,113.52 IN CHARTER COUNTY  
TRANSPORTATION SURTAX FUNDS FOR ROADWAY  
RESURFACING CONTRACT RPQ NO. 20170165 AWARDED  
UNDER THE MISCELLANEOUS CONSTRUCTION  
CONTRACT 7360 PLAN

**WHEREAS**, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board approves the use of Charter County Transportation Surtax Funds for contract RPQ No. 20170165 awarded under the Miscellaneous Construction Contract 7360 Plan for roadway resurfacing projects identified in Exhibit A attached herein, and authorizes the use of Charter County Transportation Surtax Funds for such purposes.

The foregoing resolution was offered by Commissioner \_\_\_\_\_,  
who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_  
and upon being put to a vote, the vote was as follows:

Audrey M. Edmonson, Chairwoman

Rebeca Sosa, Vice Chairwoman

Esteban L. Bovo, Jr.

Jose "Pepe" Diaz

Eileen Higgins

Joe A. Martinez

Dennis C. Moss

Xavier L. Suarez

Daniella Levine Cava

Sally A. Heyman

Barbara J. Jordan

Jean Monestime

Sen. Javier D. Souto

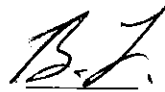
The Chairperson thereupon declared the resolution duly passed and adopted this 7<sup>th</sup> day of May, 2019. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.



Bruce Libhaber

## Exhibit A

### Contract No. 1

<b>Project No.:</b> 20170165 (MCC 7360 Plan – CICC 7360-0/08)	<b>Title:</b> Roadway Resurfacing Contract Push-Button (South)
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**Background:** On June 15, 2017, DTPW forwarded an RPQ for Roadway Resurfacing, utilizing the MCC 7360 Plan – CICC 7360-0/08 Contract, to a list of 70 pre-qualified firms. Five (5) firms submitted contract documents, and all five (5) firms proffered a bid.

On July 19, 2017, H & R Paving, Inc. proffered the lowest responsive and responsible base bid of \$1,461,267.83, 4 percent below the County's cost estimate. The second lowest bidder, Weekley Asphalt, Inc. proffered a base bid of \$1,546,417.65, 2 percent above the County's cost estimate. The third lowest bidder, General Asphalt, Inc., proffered a base bid of \$1,558,439.50, 3 percent above the County's cost estimate. Based on the results of the solicitation, DTPW issued a recommendation for award on August 29, 2017 for RPQ No. 20170165 to H & R Paving, Inc.

Base Contract Amount:	\$1,461,267.83
Contingency Amount:	\$ 146,126.78
Dedicated Allowances:	\$ 132,718.91
Total Amount:	\$1,740,113.52

Contract Measures:		
Program	Measure	Goal Percent
SBE/CONS	Trade Set Asides: Traffic Stripes and Markings; and Concrete Work	Schedule of Intent Affidavit lists: Highway Striping, Inc., and Quality Construction Performance, Inc.
Community Workforce Program	Applicable: Work Order Driven	10 Percent


**Scope of Work:** Work under this Contract includes furnishing of all supervision, labor, materials, tools, equipment and performing all operations necessary for Intersection Improvements, and performing all operations required to construct the Work in accordance with the Contract Documents. Work includes but is not limited to, the following: Construction of Asphaltic Concrete Road base and surface; pavement removal; pavement milling; pavement markings; signage; drainage; sidewalks; concrete curb and gutter; and traffic calming devices. Incidental items required for areas such as street light, traffic signal installation, etc. may be added to this Contract. If any changes are required due to conflict of design and or field conditions, the Engineer will make the final determination. The Contractor and all subcontractors, under this Contract, are prohibited from performing any work, other than specified in the Contract and/or directed by the Engineer, within the limits of the project site, without prior written notification to the Engineer. This includes any work for private or commercial entities.



## Memorandum



**To:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

**From:** Javier A. Betancourt, Executive Director 

**Date:** March 21, 2019

**Re: CITT AGENDA ITEM 5A: (Rejected by CITT)**  
RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST  
RECOMMENDING THE BOARD OF COUNTY COMMISSIONERS (BCC) APPROVE  
AND AUTHORIZE THE USE OF UP TO \$1,740,113.52 IN CHARTER COUNTY  
TRANSPORTATION SURTAX FUNDS FOR ROADWAY RESURFACING  
CONTRACTS AWARDED UNDER THE MISCELLANEOUS CONSTRUCTION  
CONTRACT 7360 PLAN (DTPW – BCC Legislative File No. 190425) SURTAX  
FUNDS

**CITT AGENDA ITEM 5A ALTERNATE:**  
RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST  
RECOMMENDING THE BOARD OF COUNTY COMMISSIONERS (BCC) DENY THE  
USE OF UP TO \$1,740,113.52 IN CHARTER COUNTY TRANSPORTATION SURTAX  
FUNDS FOR ROADWAY RESURFACING CONTRACTS AWARDED UNDER THE  
MISCELLANEOUS CONSTRUCTION CONTRACT 7360 PLAN (CITT)

On March 20, 2019, the CITT voted (7-0) to reject agenda item 5A (BCC Legislative File No. 190425), referenced above. The CITT then voted (7-0) to forward a recommendation to the Board of County Commissioners (BCC) for the above referenced item 5A Alternate (full Resolution and Staff memo attached) to deny the use of surtax funds for the referenced project. The vote was as follows:

Glenn J. Downing, CFP®, Chairperson – Aye  
Joseph Curbelo, 1<sup>st</sup> Vice Chairperson – Aye  
Alfred Holzman, 2<sup>nd</sup> Vice Chairperson – Aye

Oscar Braynon – Absent  
Prakash Kumar – Aye  
Jonathan Martinez – Absent  
Amy Steel-Donner – Absent  
L. Elijah Stiers, Esq. – Aye

Evan Fancher – Absent  
Hon. Anna E. Lightfoot-Ward, Ph.D. – Aye  
Miles E. Moss, P.E. – Aye  
Marilyn Smith – Absent

cc: Alina Hudak, Deputy Mayor  
Bruce Libhaber, Assistant County Attorney

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RESOLUTION NO. 19-017

RESOLUTION BY THE CITIZENS' INDEPENDENT  
TRANSPORTATION TRUST (CITT) RECOMMENDING  
THE BOARD OF COUNTY COMMISSIONERS (BCC),  
DENY THE USE OF UP TO \$1,740,113.52 IN CHARTER  
COUNTY TRANSPORTATION SURTAX FUNDS FOR  
ROADWAY RESURFACING CONTRACTS AWARDED  
UNDER THE MISCELLANEOUS CONSTRUCTION  
CONTRACT 7360 PLAN

**WHEREAS**, the CITT desires to accomplish the purposes outlined in the accompanying  
OCITT Executive Director's memorandum, a copy of which is incorporated herein by  
reference,

**NOW, THEREFORE, BE IT RESOLVED BY THE CITT**, that this Trust  
recommends the Board of County Commissioners (BCC), deny the use of Charter County  
Transportation Surtax Funds for Contracts awarded under the Miscellaneous Construction  
Contract 7360 Plan for roadway resurfacing projects identified in Exhibit A attached herein, and  
not authorize the use of Charter County Transportation Surtax Funds for such purposes, as  
outlined in the corresponding document in substantially the form attached hereto and made a  
part hereof.




The foregoing resolution was offered by Alfred J. Holzman, who moved its adoption. The motion was seconded by Joseph Curbelo and upon being put to vote, the vote was as follows:

Glenn J. Downing, CFP® Chairperson – Aye  
Joseph Curbelo, 1<sup>st</sup> Vice Chairperson – Aye  
Alfred J. Holzman, 2<sup>nd</sup> Vice Chairperson – Aye

Oscar Braynon – Absent  
Prakash Kumar – Aye  
Jonathan Martinez – Absent  
Marilyn Smith – Absent  
L. Elijah Stiers, Esq. – Aye

Evan Fancher – Absent  
Hon. Anna E. Lightfoot-Ward, Ph.D., – Aye  
Miles E. Moss, P.E. – Aye  
Amy Steele-Donner – Absent

The Chairman thereupon declared the resolution duly passed and adopted this 20<sup>th</sup> day of March, 2019.

Approved by the County Attorney as  
to form and legal sufficiency 

By:   
Executive Director